

PTO/SB/97 (08-00)

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Application Number: 09/740,720

Filing Date: Dec 18, 2000

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1. Certificate of Transmission
2. Fee Transmittal
3. Response to Non-Final Office Action Dated 4/7/2004 (27 pages)

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. ....09/740,720  
Filing Date ..... 12/18/2000  
Confirmation No.....4181  
Inventorship.....Darling et al.  
Applicant..... Microsoft Corporation  
Group Art Unit .....2126  
Examiner ..... Ho, The T  
Attorney's Docket No. .... MS1-681US  
Title: *Dynamic Monitor and Controller of Availability of a Load-Balancing Cluster*

**RESPONSE TO NON-FINAL OFFICE  
ACTION DATED 4/07/2004**

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

From: Kasey C. Christie (Tel. 509-324-9256; Fax 509-323-8979)  
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Serial No.: 09/740,720  
Atty Docket No.: MS1-681US  
RESPONSE TO NON-FINAL OFFICE ACTION DATED  
4/17/2004

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atty: Kasey C. Christie

PTO/SB/17 (10-03)

Approved for use through 07/31/2006, OMB 0651-0032  
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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**FEE TRANSMITTAL  
for FY 2004**

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT** (\$ ) 0.00**Complete if Known**

Application Number	09/740,720
Filing Date	Dec 18, 2000
First Named Inventor	Darling
Examiner Name	HO, THE T
Art Unit	2126
Attorney Docket No.	MS1-681US

**METHOD OF PAYMENT (check all that apply)**☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit  
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12-0769

Lee &amp; Hayes, PLLC

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 385	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 265	Plant filing fee	
1004 770	2004 385	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
<b>SUBTOTAL (1)</b>			<b>(\$ ) 0</b>

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims	Extra Claims	Fee from below	Fee Paid
57	-20** = 0	0	0
6	-3** = 0	0	0
Multiple Dependent			

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 280	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b>			<b>(\$ ) 0</b>

\*\*or number previously paid. If greater. For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

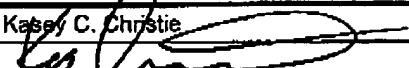
Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 420	2252 210	Extension for reply within second month	
1253 950	2253 475	Extension for reply within third month	
1254 1,480	2254 740	Extension for reply within fourth month	
1255 2,010	2255 1,005	Extension for reply within fifth month	
1401 330	2401 165	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$ ) 0**SUBMITTED BY**

Name (Print/Type)	Kasey C. Christie	Registration No. (Attorney/Agent)	40,559	Telephone	(509) 324-9256
Signature		Date	7-1-04		

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